

ADRMOPTERM, APPEAL, CLOSED, E-Filing

**U.S. District Court
California Northern District (San Francisco)
CIVIL DOCKET FOR CASE #: 3:07-cv-05554-SC
Internal Use Only**

Chung et al v. Keisler et al
Assigned to: Hon. Samuel Conti
Cause: 28:1361 Petition for Writ of Mandamus

Date Filed: 10/31/2007
Date Terminated: 07/21/2008
Jury Demand: Plaintiff
Nature of Suit: 460 Deportation
Jurisdiction: U.S. Government
Defendant

Plaintiff

Byun G. Chung
*on behalf of himself and all others
similarly situated*

represented by **Alex Chinhung Park**
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LEAD ATTORNEY
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Plaintiff

Duk Bong Chung
*on behalf of herself and all others
similarly situated*

represented by **Alex Chinhung Park**
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LEAD ATTORNEY
ATTORNEY TO BE NOTICED

George G. Benetatos
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ATTORNEY TO BE NOTICED

Plaintiff

Myung Bin Chung

represented by **Alex Chinhung Park**

*on behalf of himself and all others
similarly situated*

(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

George G. Benetatos
(See above for address)
ATTORNEY TO BE NOTICED

Plaintiff

Kuo Chul Chung
*on behalf of himself and all others
similarly situated*

represented by **Alex Chinyung Park**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

George G. Benetatos
(See above for address)
ATTORNEY TO BE NOTICED

V.

Defendant

Peter D. Keisler
*Acting Attorney General of the United
States*
TERMINATED: 11/16/2007

represented by **Edward A. Olsen**
United States Attorney's Office
Northern District of California
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Defendant

Department of Homeland Security

represented by **Edward A. Olsen**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

Michael Chertoff
Secretary of DHS

represented by **Edward A. Olsen**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

Emilio T. Gonzales
Director of U.S. Citizenship
TERMINATED: 11/16/2007

represented by **Edward A. Olsen**
(See above for address)
LEAD ATTORNEY

*ATTORNEY TO BE NOTICED***Defendant****Immigration Services Department of State***TERMINATED: 11/16/2007*represented by **Edward A. Olsen**
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LEAD ATTORNEY
*ATTORNEY TO BE NOTICED***Defendant****Condoleezza Rice***TERMINATED: 11/16/2007*represented by **Edward A. Olsen**
(See above for address)
LEAD ATTORNEY
*ATTORNEY TO BE NOTICED***Defendant****Michael Mukasey***Attorney General of the United States*represented by **Edward A. Olsen**
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LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
10/31/2007	<u>1</u>	COMPLAINT; summons issued against Peter D. Keisler, Department of Homeland Security, Michael Chertoff, Emilio T. Gonzales, Immigration Services Department of State, Condoleezza Rice (Filing fee \$ 350, receipt number 34611012018). Filed by Byun G. Chung, Duk Bong Chung, Myung Bin Chung, Kuo Chul Chung. (slh, COURT STAFF) (Filed on 10/31/2007) Additional attachment(s) added on 11/19/2007 (slh, COURT STAFF). (Entered: 11/01/2007)
10/31/2007	<u>2</u>	CASE MANAGEMENT CONFERENCE ORDER: Case Management Conference set for 2/6/2008 01:30 PM. (slh, COURT STAFF) (Filed on 10/31/2007) (Entered: 11/01/2007)
10/31/2007		CASE DESIGNATED for Electronic Filing. (slh, COURT STAFF) (Filed on 10/31/2007) (Entered: 11/01/2007)
11/16/2007	<u>3</u>	FIRST AMENDED COMPLAINT against Michael Mukasey, Department of Homeland Security, Michael Chertoff. Filed by Byun G. Chung, Duk Bong Chung, Myung Bin Chung, Kuo Chul Chung. (slh, COURT STAFF) (Filed on 11/16/2007) Additional attachment(s) added on 11/19/2007 (slh, COURT STAFF). (Entered: 11/19/2007)
11/16/2007		(Court only) *** Parties Peter D. Keisler; Condoleezza Rice; Emilio T. Gonzales and Immigration Services Department of State terminated. (slh, COURT STAFF) (Filed on 11/16/2007) (Entered: 11/19/2007)
01/08/2008	<u>4</u>	Declination to Proceed Before a U.S. Magistrate Judge by Peter D. Keisler, Department of Homeland Security, Michael Chertoff, Emilio T. Gonzales, Immigration Services Department of State, Condoleezza Rice, Michael Mukasey. (Olsen, Edward) (Filed on 1/8/2008) (Entered: 01/08/2008)

01/09/2008	5	CLERK'S NOTICE of Impending Reassignment to U.S. District Judge (bpf, COURT STAFF) (Filed on 1/9/2008) (Entered: 01/09/2008)
01/10/2008	6	ORDER REASSIGNING CASE. Case reassigned to Judge Hon. Samuel Conti for all further proceedings. Judge Magistrate Judge Edward M. Chen no longer assigned to the case.. Signed by Executive Committee on 1/10/08. (as, COURT STAFF) (Filed on 1/10/2008) (Entered: 01/10/2008)
01/11/2008	7	STIPULATION to Extend Date of Case Management Conference and [Proposed] Order by Peter D. Keisler, Department of Homeland Security, Michael Chertoff, Emilio T. Gonzales, Immigration Services Department of State, Condoleezza Rice, Michael Mukasey. (Olsen, Edward) (Filed on 1/11/2008) (Entered: 01/11/2008)
01/14/2008	8	STIPULATION AND ORDER Initial Case Management Conference set for 4/4/2008 10:00 AM.. Signed by Judge Samuel Conti on 1/14/08. (tdm, COURT STAFF) (Filed on 1/14/2008) (Entered: 01/14/2008)
01/14/2008		(Court only) ***Deadlines terminated. (tdm, COURT STAFF) (Filed on 1/14/2008) (Entered: 01/14/2008)
03/07/2008	9	MOTION to Dismiss <i>Defendants' Notice of Motion and Motion to Dismiss</i> filed by Peter D. Keisler, Department of Homeland Security, Michael Chertoff, Emilio T. Gonzales, Immigration Services Department of State, Condoleezza Rice, Michael Mukasey. Motion Hearing set for 5/23/2008 10:00 AM in Courtroom 1, 17th Floor, San Francisco. (Olsen, Edward) (Filed on 3/7/2008) (Entered: 03/07/2008)
03/07/2008	10	Declaration of Edward A. Olsen in Support of 9 MOTION to Dismiss <i>Defendants' Notice of Motion and Motion to Dismiss</i> filed by Peter D. Keisler, Department of Homeland Security, Michael Chertoff, Emilio T. Gonzales, Immigration Services Department of State, Condoleezza Rice, Michael Mukasey. (Attachments: # 1 Exhibits A-D, # 2 Exhibit E, # 3 Exhibits F-O, # 4 Exhibits P-S)(Related document(s) 9) (Olsen, Edward) (Filed on 3/7/2008) (Entered: 03/07/2008)
03/07/2008	11	Proposed Order re 9 MOTION to Dismiss <i>Defendants' Notice of Motion and Motion to Dismiss</i> by Peter D. Keisler, Department of Homeland Security, Michael Chertoff, Emilio T. Gonzales, Immigration Services Department of State, Condoleezza Rice, Michael Mukasey. (Olsen, Edward) (Filed on 3/7/2008) (Entered: 03/07/2008)
03/28/2008	12	CASE MANAGEMENT STATEMENT (<i>Joint</i>)AND [PROPOSED] ORDER filed by Department of Homeland Security, Michael Chertoff, Michael Mukasey. (Olsen, Edward) (Filed on 3/28/2008) Modified on 3/31/2008 (aaa, Court Staff). (Entered: 03/28/2008)
04/02/2008	13	CLERK'S NOTICE Case Management Conference set for 4/4/08 is continued to 6/13/2008 10:00 AM. (tdm, COURT STAFF) (Filed on 4/2/2008) (Entered: 04/02/2008)
04/02/2008		(Court only) ***Deadlines terminated. (tdm, COURT STAFF) (Filed on 4/2/2008) (Entered: 04/02/2008)

04/04/2008	14	NOTICE of Appearance by Alex Chinyung Park <i>for George G. Benetatos</i> (Park, Alex) (Filed on 4/4/2008) (Entered: 04/04/2008)
04/04/2008		(Court only) ***Attorney George G. Benetatos for Byun G. Chung, Duk Bong Chung, Myung Bin Chung and Kuo Chul Chung added. Re 14 Notice (aaa, Court Staff) (Filed on 4/4/2008) (Entered: 04/07/2008)
04/07/2008	15	ADR Certification (ADR L.R. 3-5b) of discussion of ADR options <i>Parties' Joint Request to be Exempt from Formal ADR Process</i> (Olsen, Edward) (Filed on 4/7/2008) (Entered: 04/07/2008)
04/11/2008	16	STIPULATION AND ORDER case removed from formal ADR proceedings. Signed by Judge Samuel Conti on 4/10/08. (tdm, COURT STAFF) (Filed on 4/11/2008) (Entered: 04/11/2008)
05/01/2008	17	Memorandum in Opposition re 9 MOTION to Dismiss <i>Defendants' Notice of Motion and Motion to Dismiss</i> filed byByun G. Chung. (Park, Alex) (Filed on 5/1/2008) (Entered: 05/01/2008)
05/01/2008	18	AFFIDAVIT in Opposition re 9 MOTION to Dismiss <i>Defendants' Notice of Motion and Motion to Dismiss Declaration of Alex C. Park</i> filed byByun G. Chung. (Park, Alex) (Filed on 5/1/2008) (Entered: 05/01/2008)
05/08/2008	19	Reply Memorandum filed byDepartment of Homeland Security, Michael Chertoff, Michael Mukasey. (Olsen, Edward) (Filed on 5/8/2008) (Entered: 05/08/2008)
05/08/2008	20	Declaration of Edward A. Olsen (<i>Supplemental</i>) with <i>Exhibit One</i> filed byDepartment of Homeland Security, Michael Chertoff, Michael Mukasey. (Attachments: # 1 Exhibit)(Olsen, Edward) (Filed on 5/8/2008) (Entered: 05/08/2008)
05/13/2008	21	STATUS REPORT <i>with Attachment</i> by Department of Homeland Security, Michael Chertoff, Michael Mukasey. (Attachments: # 1 Appendix Ninth Circuit Disposition)(Olsen, Edward) (Filed on 5/13/2008) (Entered: 05/13/2008)
05/21/2008	22	Request for Judicial Notice re 21 Status Report filed byByun G. Chung. (Related document(s) 21) (Park, Alex) (Filed on 5/21/2008) (Entered: 05/21/2008)
06/09/2008	23	STATUS REPORT (<i>Joint</i>) by Department of Homeland Security, Michael Chertoff, Michael Mukasey. (Olsen, Edward) (Filed on 6/9/2008) (Entered: 06/09/2008)
06/11/2008	24	CLERK'S NOTICE Case Management Conference set for 6/11/08 is continued to 8/1/2008 10:00 AM. (tdm, COURT STAFF) (Filed on 6/11/2008) (Entered: 06/11/2008)
07/21/2008	25	ORDER by Judge Samuel Conti granting 9 Motion to Dismiss (sclc2, COURT STAFF) (Filed on 7/21/2008) (Entered: 07/21/2008)
07/21/2008		(Court only) ***Civil Case Terminated. (sclc2, COURT STAFF) (Filed on 7/21/2008) (Entered: 07/21/2008)

08/19/2008	26	NOTICE OF APPEAL as to 25 Order on Motion to Dismiss by Byun G. Chung, Duk Bong Chung, Myung Bin Chung, Kuo Chul Chung. Filing fee \$ 455.00., Receipt Number 34611022578 (aaa, Court Staff) (Filed on 8/19/2008) (Entered: 08/20/2008)
08/20/2008	27	Cover Letter and Transmission of Notice of Appeal and Docket Sheet to US Court of Appeals re 26 Notice of Appeal (aaa, Court Staff) (Filed on 8/20/2008) (Additional attachment(s) added on 8/20/2008: # 1 Transmittal Form) (aaa, Court Staff). (Entered: 08/20/2008)
08/20/2008	28	Certificate of Record Mailed to USCA re appeal 26 Notice of Appeal : (aaa, Court Staff) (Filed on 8/20/2008) (Entered: 08/20/2008)
08/20/2008	29	Copy of 26 Notice of Appeal and Docket sheet mailed to all counsel without an e-mailing address. (aaa, Court Staff) (Filed on 8/20/2008) (Entered: 08/20/2008)